



Appeal Decision

Site visit made on 7 September 2020 by Ifeanyi Chukwujekwu BSc MSc MIEMA
CEnv AssocRTPI

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 November 2020

Appeal Ref: APP/N5090/W/20/3251681

1 and 3¹ Elm Park Gardens, London NW4 2PJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Korman against the decision of the Council of London Borough of Barnet.
 - The application Ref 19/6555/HSE, dated 10 December 2019, was refused by notice dated 17 December 2019.
 - The developments proposed are erection of a single storey front, side and rear extension to No 1 and single storey rear extension to No 3.
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This decision is issued in accordance with Section 56 (2) of the Planning and Compulsory Purchase Act 2004 as amended and supersedes that issued on 01 October 2020

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The appeal is made joint for consideration of proposals at both properties.
4. The Council considers that the front and side extension proposed at No 1 Elms Park Gardens would be proportionate additions to the host dwelling and could be constructed under Permitted Development (PD) rights. As such, the Council finds that this aspect of the proposals would respect the character of the area. I find no reason to disagree and will proceed on this basis.

Main Issue

5. The main issue is the effect of the single storey rear extension to No 1 and single storey rear extension to No 3 upon the character and appearance of the host properties and surrounding area, with particular regard to the siting and scale of the proposals.

¹ Based on joint appeal.

Reasons for the Recommendation

6. Nos 1 and 3 are a pair of modest two-storey semi-detached dwellings located at Elm Park Gardens in North West London. The surrounding area is residential and is characterised by a mix of detached and semi-detached two-storey dwellings with spacious front and rear gardens. A number of properties on the street have had extensions constructed, which also includes rear extensions such as the conservatory at the rear of No 1. These extensions appear to be proportionate and subservient in scale to the host properties.
7. London Borough of Barnet's Local Plan Supplementary Planning Document: Residential Design Guidance (2016) recommends that the depth of a single storey rear extension, normally considered acceptable for semi-detached properties is 3.5 metres². It also states that single storey rear extensions to the original house, need to ensure that they do not look too bulky and prominent compared to the size of the main building and garden to which they relate³.
8. The proposed single storey rear extensions at Nos 1 and 3 would breach this acceptable depth and extend to more than half the length of the host dwellings⁴. In that context, by virtue of their width and depth, the proposals would not be subservient to the hosts properties. By virtue of their position at the junction with Elms Avenue, the rear extensions would be visible from public vantage points. The drawings and visualization also show that the external wall of the extension at No 1 would sit astride the existing boundary with the pavement. Thus, it would be prominent on the street scene and be seen as bulky and incongruous additions to the host properties. The flat roof profile would create a box-like and somewhat bulky addition that would contrast with the hipped roofs of the host dwellings and the combined mass of the extension across both properties would be substantial. The structure would also take up a significant proportion of the rear gardens. Therefore, due to the scale and profile of the extension and its prominent location it would represent a disproportionate addition and would be harmful to the appearance of the host properties and would detract from the character of the surrounding area.
9. The appellant contends that the proposals would align with the existing single storey rear extension at No 5 Elm Park Gardens. However, No. 5 is a detached property for which the acceptable depth for a single storey extension is 4 metres. The extension at No 5 is less than this depth and thus is proportionate and subservient to the host property, which is in contrast with the proposals.
10. The appellant has also provided details of an approved scheme at 30 Shirehall Lane⁵. This does not relate to the appeal before me. Also, the planning approval for that scheme is of some vintage and years before the adoption of the SPD, Barnet's Local Plan (Core Strategy) Development Plan Document (2012) (the 'CS') and Barnet's Local Plan (Development Management Policies) Development Plan Document (2012) (the 'DP'). It was therefore subject to different planning policy considerations. Other developments referred to are also not contextually comparable to the appeal proposals, neither are they the proposal before me. Nevertheless, each appeal is considered according to its

² Paragraph 14.21

³ Paragraph 14.22

⁴ Drawing no U-J11707-PP01 (Proposed Ground Floor)

⁵ Ref W01695G/07

own merits and the existence of precedence does not justify harmful development.

11. I find that by reason of their siting, size and depth the proposed single storey rear extension to No 1 and single storey rear extension to No 3 would have a detrimental effect upon the visual appearance of the host properties and the character of the wider pattern of development within the surrounding area. Consequently, there would be conflict with Policies CS1 and CS5 of the CS, and Policy DM01 of the DP which seek amongst other things to ensure that proposals for new development should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

Conclusion and Recommendation

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Ifeanyi Chukwujekwu

APPEALS PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report, and on that basis, I agree that the appeal should be dismissed.

Chris Preston

INSPECTOR